

UNITED STATES BANKRUPTCY COURT
for the Eastern District of Pennsylvania

In re	:	Case No. 11 - 18010
Fawwaz F. Beyha	:	(Chapter 11)
Debtor.	:	
	:	Hon. Jean K. FitzSimon
	:	

AMENDED AFFIDAVIT IN SUPPORT OF
DEBTOR'S MOTION TO REOPEN CASE

I, Fawwaz F. Beyha, Debtor in the above-case, depose and say that I submit this Affidavit in Support of my Motion to Reopen Case, and, as reasons therefor, states as follows:

1. On July 20, 2010, an affiliated entity, Class Act Properties, LLC ("C.A.T.") acquired title to real property known as 1629 Webster Street Philadelphia, PA 19146 ("Property - 1"), through a Deed recorded on August 5, 2010 in the Office of the Recorder of Deeds of Philadelphia County on Document No. 522447781.
2. On July 20, 2010, C.A.T. obtained a mortgage from this creditor, Lava Funding, LLC ("Lava"), in the amount of \$280,000.00, and recorded on August 5, 2010 in the Office of the Recorder of Deeds of Philadelphia County on Document No. 52244782.
3. Sometime thereafter, C.A.T. became delinquent with this mortgage.
4. In an attempt to resolve this delinquency, C.A.T. and Lava signed a Deed in Lieu of Foreclosure on March 10, 2011, and recorded on March 11, 2011 in the Office of the Recorder of Deeds of Philadelphia County on Document No. 52324771.
5. Lava provided C.A.T. with a Satisfaction on June 16, 2011, which has been recorded on July 1, 2011 in the Office of the Recorder of Deeds of Philadelphia County on Document No. 52364276.

6. I also own other real properties in the City of Philadelphia including (a) 1405 South 32nd Street Philadelphia, PA 19146 ("Property - 2") and (b) 1551 South 16th Street Philadelphia, PA 19146 ("Property - 3").
7. Unbeknownst to me, Lava recorded a mortgage dated June 22, 2011 and for \$41,689.50 and without my signature against Property - 2 and Property - 3 (recorded on July 20, 2011 and in the Office of the Recorder of Deeds of Philadelphia County on Document No. 523705260).
8. This June 22, 2011 mortgage conveyance was fraudulent, because it was made without fair consideration and because I did not sign such document.
9. As stated on my confirmed Eighth Amended Plan, Lava had a July 20, 2010 second mortgage on Property - 3 which was subject to lien extinguishment.
10. Lava has no additional claims against Property - 2 and Property - 3 because of these June 22, 2011 claims.

VERIFICATION

I declare under penalty of perjury that the information provided in this Affidavit is true and correct.

/s/ Fawwaz Beyha
Fawwaz F. Beyha, Debtor
DATE: 3/6/2019

eRecorded in Philadelphia PA Doc Id: 52364276
 07/01/2011 12:28 PM Receipt#: 1019228
 Page 1 of 2 Rec Fee: \$168.00
 Commissioner of Records Doc Code: S
 State RTT: Local RTT:

Prepared By: Center City Settlement Services, LLC
 Return To: Center City Settlement Services, LLC
 ATTN:
 1619 Walnut Street, 5th floor, Philadelphia, Pennsylvania 19103
 215-988-9667
 30-1-1445-00

(551) 51-499
 3013

MORTGAGE SATISFACTION PIECE

PREMISES: 1629 Webster Street, City of Philadelphia, Philadelphia County, State of Pennsylvania
 30-1-1445-00

KNOW ALL MEN BY THESE PRESENTS THAT, Lava Funding, LLC does hereby certify that a certain Indenture of Mortgage bearing the date 7-20-10 made and executed by Class Act Properties LLC; to secure the payment of the principal sum of \$280,000, and duly recorded in the Office for the Recording of Deeds in and for the County of Philadelphia on 8-5-10 in INSTRUMENT #52244782 and secured upon PREMISES ABOVE RECITED, AND AS MORE FULLY AND AT LARGE DESCRIBED ON EXHIBIT ATTACHED HERETO AND MADE PART HEREOF has been paid in full, and that upon the recording of this instrument, the said Mortgage shall be and is hereby forever discharged.

IN WITNESS WHEREOF, the undersigned has caused these presents to be duly executed, this June 16, 2011.

Lava Funding, LLC

By: Richard Fiore, Authorized Signatory

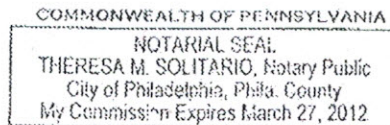
(SEAL)

State of Pennsylvania
 County of Philadelphia

On this June 16, 2011, before me, the undersigned officer, personally appeared Richard Fiore, Authorized Signatory of Lava Funding LLC known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public



File No. CSS151-499

EXHIBIT A

ALL THAT CERTAIN lot or piece of ground with the two story brick messuage thereon erected.

SITUATE on the North side of Webster Street at the distance of 220 feet Westward from the West side of 16th Street in the 30th Ward of the City of Philadelphia.

THENCE extending Northward at right angles to the said Webster Street 43 feet 4-1/2 inches to a point; thence Westward parallel with Webster Street 4 feet 10-1/2 inches; thence Southward at right angles to Webster Street 2 feet 10-1/4 inches; thence extending Westward parallel with Webster Street 11 feet 1-1/2 inches to a point; thence Southward 40 feet 6-1/4 inches to a point on the North side of said Webster Street; thence Eastward along the said Webster Street 16 feet to the point of beginning.

FOR INFORMATIONAL PURPOSES ONLY: BEING known as No. 1629 Webster Street.

BRT #30-1-1445-00.

BEING the same premises which Class Act Properties LLC by Indenture dated 03/10/2011, and recorded in the Office for the Recording of Deeds, in and for the County of Philadelphia, aforesaid, in Instrument No. 52324771, granted and conveyed unto Lava Funding, LLC, in fee.

30-1-1445-00